THE HON'BLE SRI JUSTICE N.V. RAMANA

–

W.P. No. 8564 of 2007

–

Oral order:

The petitioners, who passed SSC and Intermediate Vocation Course in Electrical Trade, claim to be working with the respondents-APSPDCL as Skilled Contract Labour, have filed this writ petition assailing the action of the 2nd respondent in restricting the recruitment notification, issued for filling up the posts of Junior Lineman on contract basis in various operation circles, only to those who passed ITI in Electrical Trade, as illegal and arbitrary.

It is the case of the petitioners that as per BP Ms. No. 1048, dated 23.08.1989, issued by the then APSEB, the educational qualifications prescribed for being eligible to apply for the post of Helper, now re-christened as Junior Lineman, are (i) pass in SSLC/SSC/10th Class, (ii) pass in ITI, preferably with Electrician Trade or (iii) Vocational Course in Electrical Trade, and the action of the 2nd respondent in confining and restricting the recruitment notification only to those who passed ITI in Electrical Trade and not to those who passed Intermediate Vocational Course in Electrical Trade, as illegal and arbitrary.

The learned Standing Counsel for the respondents having taken notice of the writ petition, on instructions submitted that BP Ms. No. 1048, dated 23.08.1989, which prescribed (i) pass in SSLC/SSC/10th Class, (ii) pass in ITI, preferably with Electrician Trade or (iii) Vocational Course in Electrical Trade, as the educational qualification for being eligible to apply for the posts of Helper (Junior Lineman), has neither been withdrawn nor superseded by issuing any new Board proceedings, and those who are possessing pass certificate in Intermediate Vocational Course in Electrical Trade, are also entitled to apply for appointment to the posts of Junior Lineman, and the respondents would receive the applications of those candidates, who are possessing pass certificate in Intermediate Vocational Course in Electrical Trade, and consider them and permit them to appear for written test/interview.

Inasmuch as, BP Ms. No. 1048, dated 23.08.1989, which

prescribed (i) pass in SSLC/SSC/10th Class, (ii) pass in ITI, preferably with Electrician Trade or (iii) Vocational Course in Electrical Trade, as the educational qualification for being eligible to apply for the posts of Helper (Junior Lineman), has neither been withdrawn nor superseded by the respondents by issuing any new Board proceedings, I deem it appropriate to dispose of the writ petition with the following directions:

The submission of the learned Standing Counsel for the respondents is placed on record, and it is directed that the respondents shall receive the applications of the petitioners, who are said to be possessing pass certificate in Intermediate Vocational Course in Electrical Trade, without insisting them to produce pass certificate in ITI Electrical Trade, for consideration and appointment to the posts of Junior Lineman on contract basis, and permit them to appear for written test/interview, if they are otherwise qualified in other respects.

The writ petition is accordingly disposed of. No costs.

_____

N.V. RAMANA, J.

Date: 23rd April, 2007.

Note:

Issue CC today.
(B/o)
KSR/NSR